

REMARKS

Claims 28-34 are in the application.

Claims 28, 30-31 stand rejected under the judicially created doctrine of double patenting. Heretofore Applicant submitted a Terminal Disclaimer in response to this basis of rejection Claim 28. Withdrawal of this basis for rejection of Claims 28, 30-31 is respectfully requested.

Claims 28-31 stand rejected under 35 USC §112, first paragraph, as containing "new matter", specifically the language "via modulation of a matrix metalloproteinase activity" found in parent Claim 28 and which carries forward to dependent Claims 29-31. Claim 28 has been amended to delete the language "via modulation of a matrix metalloproteinase activity", thereby obviating the rejection based on "new matter". Withdrawal of the rejection of Claims 28-31 under 35 USC §112, first paragraph, is respectfully requested.

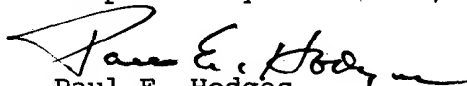
Claim 29 stands rejected under 35 USC §112, second paragraph, as being indefinite. Claim 29 has been amended to denote that the claimed composition is an extract of oak bark, thereby making this Claim 29 definite. Withdrawal of the rejection of Claim 29 under 35 USC §112, second paragraph, is respectfully requested.

New Claims 32-34 have been withdrawn.

Applicant notes that Claims 28-31 are free of the art. The inapplicability of Stanley (US 5,080,900) to Claims 28-31 is noted.

Reconsideration of the application and allowance of Claims 28-31 are respectfully requested.

Respectfully submitted,


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